

MASSACHUSETTS DEPARTMENT OF PUBLIC HEALTH

105 CMR 221.000: Promoting Awareness of Meningococcal Disease and Vaccine

Section

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221.100: Purpose

The purpose of 105 CMR 221.000 is to implement the provisions of M.G.L. c.111, s.219. 105 CMR 221.000 seeks to promote awareness of meningococcal disease and vaccine among parents and guardians of minor students, and students 18 years of age or older, attending certain schools, colleges and universities, and parents and guardians of enrollees in certain programs for children.

221.200: Authority

105 CMR 221.000 is authorized and required by M.G.L. c.111, s.219.

221.200: Definitions

Secondary school shall mean a school or that portion of a school that provides education for students in grades nine through 12.

Day care center shall mean any facility or program operated on a regular basis, whether known as a day nursery, nursery school, kindergarten, child play school, progressive school, child development center, pre-school, or entity known under any other name which receives children, not of common parentage, under seven years of age, or under 16 years of age if the children have special needs for non-residential custody and care during part or all of the day separate from their parent(s).

Youth camp shall mean any day, primitive or outpost, residential, sports, travel or trip camp conducted wholly or in part for recreation or recreational instruction which:

- (a) operates for profit or for philanthropic or charitable purposes, whether or not a fee is charged; and
- (b) serves five or more children who are not members of the family or personal guests of the operator; and
- (c) operates for any period of time between June 1 and September 30 of any year or not more than 14 consecutive days during any other time of the year; or
- (d) promotes or advertises itself as a camp. If not promoted or advertised as a camp, the following shall not be deemed to be a youth camp:

1. a child care program licensed in accordance with M.G.L. c.28A, s.10;
2. a single purpose class, workshop, clinic or program sponsored by a municipal recreation department, or a neighborhood playground activity program;
3. a program operated solely on a drop-in basis;
4. a classroom based instructional program, provided that no specialized or high risk activities are conducted as part of the program; and
5. a summer school program accredited by a recognized educational accreditation agency.

221.300: Dissemination of Information about Meningococcal Disease and Vaccine

In accordance with M.G.L. c. 111, s.219, public and private secondary schools, colleges, universities, day care centers, and youth camps shall provide to a parent or guardian, or to a student 18 years of age or older, with the exception of those students covered by 105 CMR 220.700, information approved or provided by the Department regarding the risk of meningococcal disease and the availability, effectiveness and risks of meningococcal vaccine. Such information shall be provided at the time of initial enrollment.

REGULATORY AUTHORITY

105 CMR 221.000: M.G.L. c. 111, ss 219.

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